



10/088569  
REC'D PTO 13 AUG 2002

# Sim & McBurney

Patent and Trade Mark Agents

330 University Avenue  
6th floor  
Toronto, Canada  
M5G 1R7

Telephone (416) 595-1155  
Fax (416) 595-1163

MICHAEL I. STEWART  
ROGER T. HUGHES, Q.C.  
TONI POLSON ASHTON  
JOHN H. WOODLEY  
KENNETH D. MCKAY  
TIMOTHY M. LOWMAN  
STEPHEN M. LANE  
ARTHUR B. RENAUD  
STEPHEN J. PERRY  
PATRICIA A. RAE  
DAVID A. RUSTON  
L.E. TRENT HORNE  
LOLA A. BARTOSZEWICZ

THOMAS T. RIEDER  
URSULA M. MCGUINNESS  
LESLEY M. MORRISON  
GEOFFREY B.C. DE KLEINE

SENIOR CONSULTANT  
PETER W. MCBURNEY

TECHNICAL ASSISTANTS  
KIMBERLY A. MCMANUS, Ph.D.  
KAMLEH J. NICOLA, B. Sc. LL.B.  
WENDY M. NOSS, B.A., LL.B.  
COBY A. B. SCHNEIDER, B.A., LL.B.  
M. MARK NG, M.Sc., LL.B.  
MATTHEW D. POWELL, P. ENG.  
MICHAEL S. COLUCCI, Ph.D.

Please Quote

Our ref. 1038-1226 MIS:jb

Your ref.

Writer's Ext. 239

E-mail: [mistewart@sim-mcburney.com](mailto:mistewart@sim-mcburney.com)

August 12, 2002

**Via Courier**

The Commissioner of Patents  
and Trademarks  
Box Missing Parts  
Washington, DC 20231  
U.S.A.

Dear Sir:

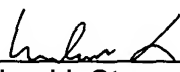
**RE: US Application No: 10/088,569**  
**Applicant: Robert C. Brunham**  
**International Filing Date: September 21, 2000**  
**Title: DNA IMMUNIZATION AGAINST CHLAMYDIA INFECTION**

In response to your Notification of Missing Requirements dated June 27, 2002, submitted herewith are:

1. Declaration and Power of Attorney duly executed by the inventor
2. Cheque in respect of Surcharge Fee
3. Copy of Notice

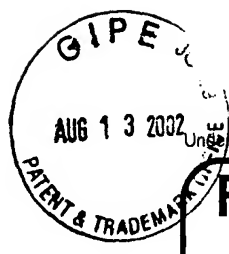
It is submitted that the Missing Requirements now have been met.

Yours very truly,

  
\_\_\_\_\_  
Michael I. Stewart  
Reg. No. 24,973

Enclosure(s)

10088569 .081302



PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **\$130.00**

## Complete if Known

Application Number	10/088,569
Filing Date	
First Named Inventor	Robert C. Brunham
Examiner Name	
Group Art Unit	
Attorney Docket No.	1038-1226 MIS

**METHOD OF PAYMENT** (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number

Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		101	740	201 370 Utility filing fee	
		106	330	206 165 Design filing fee	
		107	510	207 255 Plant filing fee	
		108	740	208 370 Reissue filing fee	
		114	160	214 80 Provisional filing fee	
SUBTOTAL (1)					

**2. EXTRA CLAIM FEES FOR UTILITY AND**

	Extra Claims	Fee from below	Fee Paid
Total Claims	<input type="text"/> -20** = <input type="text"/>	X <input type="text"/>	= <input type="text"/> 0.00
Independent Claims	<input type="text"/> - 3** = <input type="text"/>	X <input type="text"/>	= <input type="text"/> 0.00
Multiple Dependent	<input type="text"/>	X <input type="text"/>	= <input type="text"/>

**Large Entity** **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) <b>\$0.00</b>				

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$130.00

**SUBMITTED BY**

Name (Print/Type)	Michael I. Stewart	Registration No. (Attorney/Agent)	24,973	Telephone	(416) 595-1155
Signature		Date	August 12, 2002		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



DT05 Re PCT/PTO 13 AUG 2002

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application	10/088,569	
	Filing Date		
	First Named	Robert C. Brunham	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	8	Attorney Docket Number	1038-1226 MIS

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Covering Letter Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael I. Stewart (Reg. No. 24,973)
Signature	
Date	August 12, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/088,569	Robert C Brunham	1038-1226 MIS:jb

24223  
SIM & MCBURNEY  
330 UNIVERSITY AVENUE  
6TH FLOOR  
TORONTO, ON M5G 1R7  
CANADA

INTERNATIONAL APPLICATION NO.	
PCT/CA00/01097	
I.A. FILING DATE	PRIORITY DATE
09/21/2000	09/22/1999

**CONFIRMATION NO. 4846**  
**371 FORMALITIES LETTER**



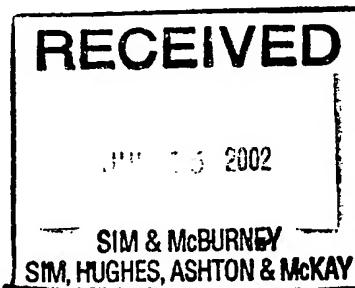
\*OC00000008350199\*

Date Mailed: 06/27/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of **\$36** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$166** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$36**
  - **\$36** for 3 total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/088,569	PCT/CA00/01097	1038-1226 MIS:jb